

REMARKS

Favorable reconsideration of this application is respectfully requested in view of the foregoing amendments and the following remarks.

Claims 1, 5, 6 and 10 have been amended. No claims have been cancelled or added by this response. Therefore, claims 1, 3-6, 8-10, 12 and 13 remain pending, of which claims 1, 5, 6, and 10 are independent.

Noted - Priority Document Received By USPTO

The indication (see Office Action Summary of the Office Action mailed March 20, 2008) that the certified copy of the priority document has been received by the USPTO is noted with appreciation.

Noted - IDS Considered

The indication (see Examiner-initialed attachment to the Office Action) that the Information Disclosure Statement (IDS) as filed on November 26, 2003 and references listed therein have been considered is noted with appreciation.

Approval of Drawings Requested

Drawings were submitted on November 26, 2003. To date, no official indication of approval of the drawings has been noted in the prosecution history. The undersigned has no reason to believe that this circumstance implies anything other than a minor oversight on the part of the USPTO. Accordingly, official approval of the drawings is hereby respectfully requested.

Claim Rejection Under 35 U.S.C. 112, Second Paragraph

Claims 1, 3-6, 8-10 and 11-13 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite. Because claim 11 has been cancelled in the Response filed September 11, 2008, it is assumed in the following that the examiner

intended to reject claims 1, 3-6, 8-10, 12 and 13 under 35 U.S.C. 112, second paragraph.

Each of independent claims 1 and 5 has been amended to clarify re-extracting, upon no worker information is extractable for a work item, worker information related to any worker who will have a skill capable of performing said work item by a time when said work item of the work order is generated, based on the information related to the end date of the training stored in the skill information storage unit. Each of independent claims 6 and 10 has been amended to clarify to re-extract, upon no worker information is extractable for a work item, worker information related to any worker who will have a skill capable of performing said work item by a time when said work item of the work order is generated, based on the information related to the end date of the training stored in the skill information storage unit.

The amendments to independent claims 1, 5, 6 and 10 are clarifying amendments responsive to the examiner's interpretation to further clarify that upon no worker information being extractable for a work item, worker information related to any worker who will have a skill capable of performing said work item by a time when said work item of the work order is generated is re-extracted.

Accordingly, withdrawal of the claim rejection under 35 U.S.C. 112, second paragraph, is respectfully requested.

Claim Rejection Under 35 U.S.C. 103

Claims 1, 5, 6 and 10 are rejected under 35 USC 103(a) as being unpatentable over Jilk et al. (US Pat-7,155,400) in view of Casey-Cholakakis et al. (US Pat-6,438,353).

Independent claims 1, 5, 6, and 10

As acknowledged by the examiner on page 5, lines 19-21 of the Office Action, Jilk et al. does not disclose or suggest, among other things, "re-extracting, upon no

worker information is extractable for a work item, worker information related to any worker who will have a skill capable of performing said work item by a time when said work item of the work order is generated, based on the information related to the end date of the training stored in the skill information storage unit", as is recited in each of independent claims 1 and 5. As such, at least these features of claims 1 and 5 provide distinctions over Jilk et al.

Page 6 of the Office Action relies on Casey-Cholakis et al. as disclosing that a training system tracks end of date training and sends emails when training is required, and stores said information in a database (column 4, lines 33-55). However, Casey-Cholakis et al. merely manages a due date for completion of the training program. This due date merely indicates a target date by which the administrator urges the user to complete the training program. This due date for completion is not the same as "information related to an end date of a training which is being received by each worker," because the due date for completion is merely a target date suggested to the user, while the user will definitely have ended the training by "an end date of a training which is being received by each worker." Further, Casey-Cholakis et al. merely updates the training history of the user, and does not store "an end date of a training which is being received by each worker". The updated training history according to Casey-Cholakis et al. merely indicates which training has been completed and which training has not been completed.

Therefore, Casey-Cholakis et al., like Jilk et al., does not disclose or suggest, among other things, "re-extracting, upon no worker information is extractable for a work item, worker information related to any worker who will have a skill capable of performing said work item by a time when said work item of the work order is generated, based on the information related to the end date of the training stored in the skill information storage unit," as is recited in each of independent claims 1 and 5. Hence, at least these features of claims 1 and 5 provide distinctions over Casey-Cholakis et al. Accordingly, the asserted combination of Jilk et al. and Casey-

Cholakis et al. does not disclose or suggest all of the features of each of independent claims 1 and 5.

Each of independent claims 6 and 10 recites "to re-extract, upon no worker information is extractable for a work item, worker information related to any worker who will have a skill capable of performing said work item by a time when said work item of the work order is generated, based on the information related to the end date of the training stored in the skill information storage unit".

For the reasons submitted above with respect to independent claims 1 and 5, the asserted combination of Jilk et al. and Casey-Cholakis et al. does not disclose or suggest all of the features of each of independent claims 6 and 10.

Among other things, a *prima facie* case of obviousness must establish that the asserted combination of references teaches or suggests each and every element of the claimed invention. In view of the distinctions of claims 1, 5, 6 and 10 noted above, at least one claimed element is not present in the asserted combination of references. Hence, the Office Action fails to establish a *prima facie* case of obviousness vis-à-vis claims 1, 5, 6 and 10.

Accordingly, it is respectfully submitted that independent claims 1, 5, 6, 10 are not made obvious by the asserted combination of Jilk et al. and Casey-Cholakis et al. Therefore, claims 1, 5, 6 and 10 are allowable over the references of record.

Claims 3, 4, 8, 9, 12 and 13

Claim 3, 4, 8, 9, 12 and 13 are rejected under 35 USC 103(a) as being unpatentable over Jilk et al. in view of Casey-Cholakis et al., in further view of Brodersen et al. (US Pat-6,850,895).

It is respectfully submitted that, for at least the reasons set forth earlier with regard to claims 1, 5, 6, 10, their dependent claims 3, 4, 8, 9, 12 and 13 are not made obvious by the asserted combination of Jilk et al. and Casey-Cholakis et al. In addition, it is respectfully submitted that Brodersen et al. does not teach or suggest

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at least the amended features in claims 1, 5, 6, and 10 (and thus their respective dependent claims 3, 4, 8, 9, 12 and 13).

Accordingly, as noted above, claims 3, 4, 8, 9, 12 and 13 are also allowable over the references of record.

Conclusion

In light of the foregoing, withdrawal of the rejections of record and allowance of this application are earnestly solicited.

Should the Examiner believe that a telephone conference with the undersigned would assist in resolving any issues pertaining to the allowability of the above-identified application, please contact the undersigned at the telephone number listed below. Please grant any required extensions of time and charge any fees due in connection with this request to deposit account no. 50-4610.

Respectfully submitted,

Dated: June 16, 2009

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